

**Ashley M. Gjovik, JD**

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**Case No. 3:23-CV-04597-EMC**

**Filed:** September 7 2023

**District Judge:** Honorable Edward M. Chen

**ASHLEY GJOVIK, *an individual,***

Plaintiff,

v.

**APPLE INC, *a corporation,***

Defendant.

**[PROPOSED] ORDER DENYING  
DEFENDANT APPLE INC'S MOTION TO  
DISMISS PLAINTIFF'S CERTAIN CLAIMS**

Dept: Courtroom 5, 17th Floor (Virtual)

Date: February 8, 2024

Time: 1:30 p.m.

**[PROPOSED] ORDER DENYING DEFENDANT'S MOTION TO DISMISS**

Pending before the Court is Defendant Apple, Inc.'s Motion to Dismiss seven of Plaintiff's eleven claims due to Plaintiff failing to plead sufficient facts to state a claim upon which relief can be granted.

Having considered the moving and opposition papers, arguments, and all other matters presented to the Court, the Court finds that Plaintiff Ashley Gjovik has alleged sufficient facts to state claim upon which relief may be granted for all eleven claims.

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss for Failure to State a Claim for seven of Plaintiff's claims is denied. Plaintiff's eleven claims may proceed.

Dated: \_\_\_\_\_

JUDGE EDWARD M. CHEN

U.S. DISTRICT COURT JUDGE